

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

IN RE: RANDLE, RAY

CASE NO.: 23-10319

RESPONSE TO CHAPTER 13 TRUSTEE'S MOTION TO DISMISS

Now comes Catherine Umberger, Attorney for Debtor in the above-styled cause who files this response to the Motion to Dismiss filed by the Chapter 13 Trustee, and, in support thereof, would respectfully show unto the Court the following:

1. Debtor admits to being delinquent in Chapter 13 payments.
2. Debtor prays this Court will deny the Trustee's Motion to Dismiss and increase the plan payments to cover the arrearages over the remaining life of the plan.
3. Debtor would show that there are extenuating and mitigating circumstances that have occurred since the Confirmation of the Chapter 13 Plan that have caused the delinquency in payments.

WHEREFORE, Premises Considered, Debtor prays that this court will deny the Chapter 13 Trustee's Motion to Dismiss.

RESPECTFULLY SUBMITTED,

/s/Catherine Umberger
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CERTIFICATE OF SERVICE

I, **Catherine Umberger**, the undersigned counsel, do hereby certify that I have this day served a true and correct copy of the foregoing **Response to Trustee's Motion to Dismiss**, via electronic e-mail, upon the following:

- Todd Johns
- U.S. Trustee USTPRegion05.AB.ECF@usdoj.gov

DATED: Monday March 4, 2024

/s/Catherine Umberger
Catherine Umberger, ESQUIRE